INTERNATIONAL PEN

Writers in Prison Committee

Half-yearly Case List to 30 June 1994

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INTERNATIONAL PEN

Writers in Prison Committee

International PEN is the leading voice of literature worldwide, bringing together poets, novelists, essayists, historians, critics, translators, editors, journalists and screenwriters. Its members are united in a common concern for the craft and art of writing and a commitment to freedom of expression through the written word. Through its Centres, PEN operates on all five continents with 119 centres in 87 countries.

Founded in London in 1921, PEN connects an international community of writers. It is a forum where writers meet freely to discuss their work. It is also a voice speaking out for writers silenced in their own countries.

The **Writers in Prison Committee** of International PEN was set up in 1960 as a result of mounting concern about attempts to silence critical voices around the world through the detention of writers. It works on behalf of all those who are detained or otherwise persecuted for their opinions expressed in writing and for writers who are under attack for their peaceful political activities or for the practice of their profession, provided that they did not use violence or advocate racial hatred.

Member centres of International PEN are active in campaigning for an improvement in the conditions of persecuted writers and journalists. They send letters to the governments concerned and lobby their own governments to campaign for the release of detained writers and for investigations in cases of torture and killings. Through writing to the families and, where possible, directly to prisoners, they provide encouragement and hope.

International PEN has consultative status at the United Nations Commission of Human Rights and with UNESCO.

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The Writers in Prison Committee of International PEN's records of persecuted writers are updated daily. For up-to-date information on a particular country (or countries), contact the Writers in Prison Committee headquarters in London.

Anyone wishing to take action on any individual mentioned in this Caselist should contact International PEN's office for any update there may be on the case and for advice on appeals.

EXPLANATION OF TERMS USED

Important: Please Read

Main Cases

Those cases listed as 'main cases' are those where the Writers in Prison Committee is confident that:

i. *the person is a writer or journalist or is persecuted because of their writings;*

ii. *the person has not used violence towards his or her aims or advocated racial hatred.*

In these cases, the Writers in Prison Committee will take all possible action for their release or for compensation. In cases where a prisoner is held without charge or trial for a considerable length of time, the Writers in Prison Committee will consider them to be a main case until and unless information is provided which shows that they have used violence or advocated racial hatred.

Judicial concern

These are cases where the main concerns include convictions based on trial proceedings which were manifestly unfair, where there are serious concerns regarding allegations of torture or where there are other irregularities in the judicial process. In these cases, the Writers in Prison Committee calls for a re-trial following fair trial practice or is calling for an investigation of the alleged malpractice and for those found guilty of committing such acts as torture to be brought to justice.

Investigation case

An investigation case is one where the Writers in Prison Committee:

i. *needs more information to ascertain whether a person is a writer or is persecuted for their writings;*

ii. *is not clear as to whether or not he or she has used violence or advocated racial hatred;*

iii. *has insufficient information to confirm that the event has taken place;*

iv: *is seeking confirmation that the person is still detained.*

The Writers in Prison Committee publishes details of investigation cases so as to provide a complete account of reports of abuses against individuals practicising their right to free expression in all countries. However, it will not usually call for their release. Once sufficient information is available, their cases will be "upgraded" to a main case or dropped as appropriate.

Abbreviations: b. = born; b.c. = born circa; govt = government
"*" by a name indicates that the case is new to the Committee's list since the last Writers in Prison Committee report. The last report was dated July 1993.

Released

Bonar Tigor NAIPOSPOS: Released conditionally on 17 May 1994.

INDONESIA/ACEH

Main case

Dr Adnan BEURANSYAH: Journalist with 'Serambi Indonesia' newspaper. Former lecturer at National Islamic Institute. Arrested on 16 August 1990 by military intelligence and sentenced to eight years in prison in March 1991 in Banda Aceh for being suspected Aceh Merdeka supporter (Free Aceh guerrilla movement) under Anti-Subversion Law. Tried with eight others accused of attending meetings at which Aceh Merdeka's aims and methods were discussed and of distributing illegal pamphlets in June 1990, including one urging Acehnese not to take part in Indonesia's National Day celebrations. None were convicted of direct involvement in violence. Held in incommunicado military detention before trial and claims he was severely tortured to confess to being a member of AM (govt denies this and court refused to accept his retraction of statement reportedly made under torture and reportedly threatened to return him to military custody for indefinite period if he retracted the statement). Only allowed court-appointed counsel which was closely monitored by officials. WiPC learnt in early 1992 that the High Court of Appeal increased Beuransyah's sentence to nine years in prison. AI prisoner of conscience. Honorary member of Perth PEN.

EAST TIMOR

Main case

Filomeno DA SILVA Ferreira: Translator. Also civil servant, working for regional govt's Supplies Bureau. Sentenced at Dili District Court on 17 June 1992 to five years and eight months in prison. Charged with copying a recorded speech by guerrilla leader Xanana Gusmao (the speech was to be played along roads where Portuguese parliamentary delegation would pass), translating Portuguese newspaper stories about East Timor and possession of a banned book, 'Timor Leste Terra da Esperanca' (which contains sections on rapes and killings carried out by Indonesian security forces in East Timor and a letter to the UN calling for a referendum in East Timor). Also charged with membership of organisation, the Committee Executive, which was set up to deliver a petition to a Portuguese govt delegation visiting Dili in November 1991 and is said to be a peaceful movement. Da Silva reported to have 'confessed' to these actions, although he claims he was tortured in first month of his imprisonment. Thought to have been transferred to Mataram prison, Lombok Island. Honorary member of USA West and English PEN.

Judicial concern

Xanana GUSMAO: Leader of guerrilla independence movement, Fretilin, and poet. Arrested in Dili suburb on 20 November 1992 with several friends and relatives. Held incommunicado for first 17 days of his arrest. Presented on TV where he renounced his part in independence struggle and said East Timor was part of Indonesia. Thought he said this after having been tortured. Charged with armed rebellion, conspiracy and trying to set up a separate state and also with illegal possession of firearms. Trial began on 1 February 1993 and was sentenced to life imprisonment, later reduced to 20 years in prison after clemency appeal by lawyer. Concerns about fair trial procedure as reportedly could not be defended by lawyer of his choice, because East Timor officials were banned from testifying, several witnesses were imprisoned - including members of Gusmao's family, translation facilities were inadequate (Gusmao speaks Portuguese and proceedings were in Bahasa Indonesia), trial was held in camera and because court rejected his defence as 'irrelevant'. Gusmao retracted his statement about Indonesian sovreignty over East Timor later. Reports that he has been beaten since his trial. Reported in late 1993 to have been moved to Cipinang prison in Jakarta where he is said to be held in isolation. In mid-January 1994, said to have been forbidden visits by Red Cross and relatives after smuggling out from prison an appeal for a campaign for annulment of his trial and

appointment of Portuguese lawyer to act on his behalf. Govt says he has also lost right to remission of sentence. As of April 1994, said to only have been allowed visits by close relatives and govt officials. Honorary member of Portuguese PEN.

Harassment

*Dr George ADITJONDRO: Lecturer in anthropology at Satya Wacana Christian University in Salatiga, Central Java. Has written several papers on East Timor, including 'The Prospects of East Timor Development after Xanana's Capture' and 'In the Shadow of Mount Ramelau'. Report about his findings concerning effects of Indonesian treatment of East Timor was published in Australian newspaper 'The West Australian' in March 1994. Following this, campaign of villification against him reported to have started in Indonesian press. Rector of his university reported to have been pressured by military to sack and evict him. On 23 March 1994, report that stones were thrown at his house, breaking several windows.

IRAN

Main cases

*Said NIAZI-KERMANI: Publisher and poet. Arrested with Ali Sirjani (see below) on 14 March 1994. Accused by Iranian intelligence official in interview published on 25 April 1994 of 'confessing' to using drugs, making alcoholic drinks, homosexual acts, links with espionage networks and receiving money from 'counter-revolutionary' circles based in the West. All these charges are said to carry the death penalty.

*Ali-Akbar SAIDI SIRJANI: Essayist, novelist and social critic. Reported to have been detained by agents of Anti-Vice Dept of the Revolutionary Prosecutor's Office on 14 March 1994 with Niazi Kermani (see above) at house of a friend in Tehran. 'Keyhan-e Hava'i' newspaper accused Sirjani of drug-using and selling drugs, but it is feared his arrest might be linked with his criticism of censorship policies. It is unclear where he is held. Books include 'Zahak-e Mardoosh' (Zahak the snake man) and 'Sima-ye Do Zan' (Portrait of Two Women). One newspaper reported that a crowd had gathered in Tehran in April 1994 and is said to have called for Sirjani's execution. Director-general of national security at Iranian intelligence ministry reported to have said in interview published on 25 April 1994 that Sirjani has 'confessed' to using drugs, making alcoholic drinks, homosexual acts, links with espionage networks and receiving money from 'counter-revolutionary' circles based in the West. All these charges are said to carry the death penalty. Reports in early June 1994 that Sirjani and Kermani will be tried in public court after completion of charge sheet against them. On 2 June 1994, 'Keyhan' published letter said to be from Sirjani in which he 'confessed' to forty years of 'misguided' behaviour, including using drugs, producing alcohol and accepting freedom of expression prize money from a US-based human rights group. Colleagues have questioned that the letter is written by him and think, if it was, it was written under duress. US-based human rights group said Sirjani turned down freedom of expression prize.

Investigation case

Salman HEIDARI: Reporter for radical newspaper 'Salam', reportedly arrested in July 1992. Said to be accused of espionage, that is, to have 'provided intelligence and information to a European embassy' when he was in Turkey in 1989 and applied for a US visa. Being investigated by revolutionary tribunal. Accused of having 'permanent contacts' with this embassy. Thought arrest may have been attempt by Rafsanjani to intimidate radicals. Also works for 'Abrar'. Unclear if still detained.

Released

Abbas ABDI: Reported to have been released on 19 April 1994 on bail of 100 million rials.

IRAQ

Disappeared

AL-SAYYID MUHAMMAD Ridha Zain al-'Abidin al-Musawi al-Khalkhali: Iranian Shi'ite